

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Frank A. Scarpino, Arturo H. Garcia and Arturo J. Garcia  
Serial No. : 09/887,606  
Filed : June 22, 2001  
Title : FREQUENCY RESPONSES, APPARATUS AND METHODS FOR THE HARMONIC ENHANCEMENT OF AUDIO SIGNALS  
Docket : TRD021IA  
Art Unit : 2644

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on November 16, 2001.

Robert L. Showalter

Reg. No. 33,579

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**FILING OF MISSING PARTS**

Pursuant to the Notice to File Missing Parts of NonProvisional Application mailed August 16, 2001 in the above-identified patent application, enclosed herewith is 1) a properly signed Declaration in compliance with 37 CFR 1.63 identifying the application by the above Serial Number and Filing Date; 2) a letter requesting corrections to the Filing Receipt; 3) the return copy of the Notice; and 4) payment in the amount of \$130 as set forth in 37 CFR 1.16(e).

Respectfully submitted,

\_\_\_\_\_  
Robert L. Showalter, Reg. No. 33,579

7019 Corporate Way  
Dayton, Ohio 45459-4238  
Telephone: (937) 438-6848  
Facsimile: (937) 438-2124  
Email: showalter@speakeeasy.net



UNITED STATES PATENT AND TRADEMARK OFFICE

**COMMISSIONER FOR PATENTS**  
**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**WASHINGTON, D.C. 20231**  
**[www.uspto.gov](http://www.uspto.gov)**

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/887.606	02/22/2001	Frank A. Scarpino	TRD 021 IA

King & Schickli PLLC  
7019 Corporate Way  
Dayton, OH 45459-4238

 \*OC00000006428945\*

\*OC00000006428945\*

Date Mailed: 08/16/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

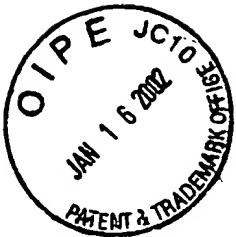
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#### **Customer Service Center**

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/05/2002	HMDHMM1	00000009	09887606	04/05/2002	HMDHMM1	00000009	09887606
01 FC:205				01 FC:105			
01 FC:105				01 FC:105			
01 FC:105				01 FC:105			
01 FC:105				01 FC:105			



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

09/887,606

Filing Date

June 22, 2001

First Named Inventor

Scarpino, et al.

Group Art Unit

2644

Examiner Name

TRD 021 IA

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Letter Requesting Correction of Filing Receipt; and Return postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Robert L. Showalter; Stevens & Showalter, L.L.P.

Signature

Date

Nov. 16, 2001

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name

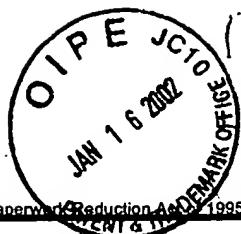
Robert L. Showalter

Signature

Date

11/16/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 240.00)

## Complete if Known

Application Number	09/887,606
Filing Date	June 22, 2001
First Named Inventor	Scarpino, F.
Examiner Name	
Group Art Unit	2644
Attorney Docket No.	TRD021IA

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	
Deposit Account Name	

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =		
Independent Claims	- 3** =		
Multiple Dependent		=	

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	110
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 240.00)

PCT 2005

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Robert Showalter	Registration No. (Attorney/Agent)	33,579
Signature	<i>Robert Showalter</i>	Telephone	937/438-6848
		Date	11/16/01

PCT 2005

PCT 2005

PCT 2005

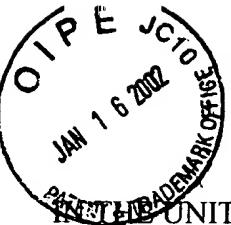
PCT 2005

PCT 2005

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PCT 2005



Receipt PB  
#6

UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Frank A. Scarpino, Arturo H. Garcia and Arturo J. Garcia  
Serial No. : 09/887,606  
Filed : June 22, 2001  
Title : FREQUENCY RESPONSES, APPARATUS AND METHODS FOR THE HARMONIC ENHANCEMENT OF AUDIO SIGNALS  
Docket : TRD021IA  
Art Unit : 2644

LETTER REQUESTING CORRECTION OF FILING RECEIPT

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

During a review of the Filing Receipt, we noted the filing date is incorrect. The correct filing date is -- **06/22/2001** --.

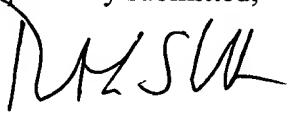
A correction and addition is needed in the Domestic Priority data. Although a Notice of Abandonment was mailed 07/02/2001 for application no. 08/472,876 filed 06/07/1995, that abandonment has been withdrawn. Therefore, **the ABN reference should be removed**.

In addition, 08/472,876 is a **CIP of 021209 02/23/1993 PAT 5,361,306** and this information should be added.

Also a **Non-Publication Request was filed** at the time of filing the application.

Therefore, we are requesting a corrected Filing Receipt be issued as soon as possible. A copy of the Filing Receipt showing the corrections requested is attached.

Respectfully submitted,

  
Robert L. Showalter

Reg. No. 33,579

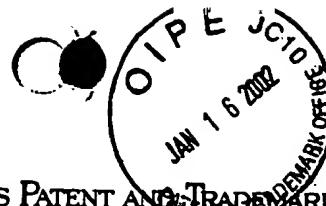
7019 Corporate Way  
Dayton OH 45459-4238  
Telephone: 937/438-6848  
Facsimile: 937/438-2124

CERTIFICATE OF MAILING

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Robert L. Showalter

Reg. No. 33,579



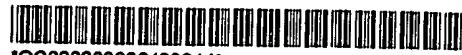
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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/887,606	02/22/2001 06/22/2001	2644	475	TRD 021 IA	3	18	6

CONFIRMATION NO. 7244

FILING RECEIPT



'OC00000006428944'

Date Mailed: 08/16/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Frank A. Scarpino, Dayton, OH;  
Arturo H. Garcia, Miami, FL;  
Arturo J. Garcia, Miami, FL;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CIP OF PCT/US00/21912 08/10/2000  
AND A CIP OF 09/431,371 11/01/1999  
WHICH CLAIMS BENEFIT OF 60/148,787 08/13/1999  
THIS APPLICATION 09/887,606  
IS A CIP OF 08/989,373 12/12/1997  
AND A CIP OF 08/909,807 08/12/1997  
WHICH IS A CIP OF 08/700,728 08/13/1996 PAT 6,275,593  
THIS APPLICATION 09/887,606  
IS A CIP OF 08/472,876 06/07/1995 ABN  
which is a CIP of 021209 02/23/1993 PAT 5,361,306

**Foreign Applications**

If Required, Foreign Filing License Granted 08/15/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No Yes

Early Publication Request: No

\*\* SMALL ENTITY \*\*